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Attorney for: Debtors

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF ARIZONA**

In re:

EVANS, GREGORY ANTHONY AND  
ROXANE RANEE EVANS,

Debtors.

SSN xxx-xx- 8887      SSN xxx-xx- 9146

15019 S. 6TH PLACE  
PHOENIX, AZ 85048

Chapter 13 Proceeding

Case No. 2:11-bk-03734-SSC

**CHAPTER 13 PLAN AND APPLICATION  
FOR PAYMENT OF ADMINISTRATIVE  
EXPENSES**

Original Plan Date: **March 1, 2011.**

**YOUR RIGHTS WILL BE AFFECTED.** You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this plan or any motion included below must file a timely written objection. This plan may be confirmed and the motions included below may be granted without further notice or hearing unless written objection is filed before the deadline stated on the separate Notice you should have received from the bankruptcy court. If you have a secured claim, this is notice that your lien may be voided or modified if you do not object to this plan.

**THIS PLAN DOES NOT ALLOW CLAIMS.** You must file a proof of claim to be paid under any plan that may be confirmed.

**(A) Plan Payments and Property to be Submitted to the Plan:**

**(1) Plan Payments Start on April 1<sup>st</sup>, 2011. The Debtors shall pay the trustee as follows:**

**\$6,641.76** each month for month **1** through month **12**.

**\$6,941.76** each month for month **13** through month **24**.

**\$8,694.98** each month for month **25** through month **36**.

**\$8,756.94** each month for month **37** through month **48**.

**\$9,641.76** each month for month **49** through month **60**.

(2) The proposed plan duration is **60** months. The applicable commitment period is **60** months.

(3) Total amount to be paid to the Trustee shall be not less than **\$488,126.40**

(4) In addition to the plan payments, Debtors will submit the following property to the trustee: **NONE.**

(B) Trustee's percentage Fee. The Trustee may collect the percentage fee from all payments and property received, not the exceed **10%**.

(C) Treatment of Administrative Expenses, Post-Petition mortgage Payments and Claims.

(1) Administrative expenses.

- a. Attorney's fees. Debtor's attorney received **\$1000.00** before filing. The balance of **\$3500.00** or an amount approved by the court upon application shall be paid by the Trustee.
- b. Other Administrative Expenses. Debtor's chapter 7 Trustee will receive **\$5000.00** or an amount approved by the court. The balance shall be paid by the Trustee.

(D) **Secured Claims:** Motion to Value Collateral and void liens under 11. U.S.C Section 506

(1) Debtor moves to value collateral as indicated in the "value" column immediately below. Trustee shall pay allowed secured claims the value indicated or the amount of the claim, whichever is less. The portion of any allowed claim that exceeds the value indicated shall be treated as an unsecured claim. Debtor moves to void the lien of any creditor with "NO VALUE" specified below.

Creditor	Collateral	Scheduled Debt	Value	Interest Rate	Monthly Payment
<b>None</b>					

(2) Debtor surrenders or abandons the following collateral. Upon confirmation, the stay is lifted as to surrendered or abandoned collateral.

Creditor	Collateral to be Surrendered or Abandoned
<b>None</b>	

(E) **Unsecured Claims:**

- (1) **Not Separately Classified.** Allowed non-priority unsecured claims shall be paid:  
Not less than \$\_\_\_ to be distributed pro rata.  
**X** Not less than **62.81** percent.  
Other:

(2) **Separately Classified Unsecured Claims**

Creditor	Basis for Classification	Treatment	Amount
<b>None</b>			

## (F) CURING DEFAULT AND MAINTAINING PAYMENTS

(1) Trustee shall pay allowed claims for arrearages, and Trustee shall pay regular postpetition contract payments to these creditors:

Creditor Collateral or Type of Debt	Estimated Arrearage Interest Rate (arrearage)	Monthly Arrearage Payment	Regular Monthly Payment
<b>None</b>			

(2) Trustee shall pay allowed claims for arrearages, and Debtor shall pay regular postpetition contract payments directly to these creditors:

Creditor Collateral or Type of Debt	Estimated Arrearage Interest Rate (arrearage)	Monthly Arrearage Payment	Regular Monthly Payment
<b>None</b>			

## (G) EXECUTORY CONTRACTS AND UNEXPIRED LEASES

(1) Executory contracts and unexpired leases are assumed or rejected as follows:

Creditor/Lessor Property	Description	Assume/Reject
<b>HINES PROPERTY MANAGEMENT</b>	<b>BUSINESS OFFICE LEASE</b>	<b>Assume</b>
<b>STATE FARM OFFICE</b>	<b>EQUIPMENT LEASE</b>	<b>Assume</b>

## (H). OTHER PLAN PROVISIONS AND MOTIONS

**(1) Motion to Avoid Liens under 11 U.S.C. § 522(f).** Debtor moves to avoid the following liens that impair exemptions:

Creditor	Collateral Amount of Lien to be Avoided
<b>None</b>	

**(a) Lien Retention.** Except as provided above in Section 5, allowed secured claim holders retain liens until:

Liens are released at discharge.

X Liens are released upon payment of allowed secured claim as provided above in Section 3.

Liens are released upon completion of all payments under the plan.

**(b) Vesting of Property of the Estate.** Property of the estate shall revert in Debtor:

Upon confirmation

X Upon discharge

Other:

**(c) Payment Notices.** Creditors and lessors provided for above in Sections 5 or 6 may continue to mail customary notices or coupons to the Debtor or Trustee notwithstanding the automatic stay.

**(d) Order of Distribution.** Trustee shall pay allowed claims in the following order:

**Trustee Commissions**

**Other Administrative Claims**

**Priority Claims**

**Secured Claims**

**General Unsecured Claims**

Dated: **March 1, 2011**

**/s/ Joseph C. McDaniel**

Signature of Attorney

**/s/ GREGORY ANTHONY EVANS**

Signature of Debtor

**/s/ ROXANE RANEE EVANS**

Signature of Spouse